GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Office of the Zoning Administrator



Wagtime, LLC.
c/o Lisa Schrieber
1412 Q Street, N.W.
Washington, D.C. 20009

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NOTICE OF REVOCATION OF CERTIFICATE OF OCCUPANCY NUMBER C069395

This is official notice that the District of Columbia Department of Consumer and Regulatory Affairs (Department) **Revokes** Certificate of Occupancy Number C069395 effective ten (10) days from the date of service of this notice. This action is taken pursuant to 12A DCMR § 110.5.3 (2005), which authorizes the Director to revoke a Certificate of Occupancy that has been issued in error.

On January 28, 2004, the Department issued to Wagtime, LLC., Certificate of Occupancy Number C069395 to use the property located at 1412 Q Street, N.W. for "24 hour dog boarding and grooming with accessory retail sale of pet supplies." That decision by the Department was based upon the conclusion that "the proposed 'boarding' operations were 'similar' to those uses permitted in the zone . . . ." On March 23, 2004, community members appealed to the Board of Zoning Adjustment (BZA) the Department's issuance of Certificate of Occupancy Number C069395, to Wagtime, LLC. On October 15, 2004, the BZA, in the matter of *Stephanie Mencimer, et al.,* (BZA Appeal Number 17092) found that Certificate of Occupancy Number CO69395 was issued in error in that, *"dog boarding as a principal use is not permitted as a matter of right in the C-3-A zone district."*

Upon receipt of the above-referenced BZA order, the Department, on November 12, 2004, issued to you a Notice of Proposed Revocation of Certificate of Occupancy Number C069395. The November 12, 2004 Notice of Proposed Revocation is hereby **Rescinded**.

You are invited to deliver comments and/or objections to the subject Notice of Revocation prior to the effective date of the revocation. Your response shall be submitted to the Zoning Administrator at the Department of Consumer and Regulatory Affairs, Office of the Zoning Administrator, 941 North Capitol St., N.E., Suite 2000, Washington, D.C. 20002. Notwithstanding the delivery of comments and/or objections, your Certificate of Occupancy is revoked ten (10) days from the date of service of this notice unless you are notified by the Zoning Administrator that the revocation is rescinded.

BZA
CASE No. 17325
EXHIBIT No. 5

Board of Zoning Adjustment
District of Columbia
CASE NO. 17325
EXHIBIT NO. 5

RIGHT TO APPEAL

You have the right, pursuant to11 DCMR § 3200.2 (2005) and 12A DCMR § 110.6 (2005), to appeal this decision to the BZA. Should you decide to appeal the Department's decision, your appeal must be made pursuant to the requirements set forth in the District of Columbia's Zoning Regulations (*i.e.*, Title 11 of the District of Columbia Municipal Regulations), and must be filed at the Office of Zoning, Board of Zoning Adjustment, 441 Fourth Street, N.W., Suite 210S, Washington, D.C. 20001.

If you decide to appeal, you should also send a copy of your appeal, pleading or written communication to the Department of Consumer and Regulatory Affairs, Office of the General Counsel, 941 North Capitol St., N.E., Suite 9400, Washington, D.C. 20002.

If you have any questions, you may contact my office at (202) 442-4576.

Date: 3/2/2005

Toye Bello
Zoning Administrator

cc: Edward L. Donohue, Esq. and Steven E. Sher, Esq.
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006